

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Mike V. NAPLES et al.) Group Art Unit: 3623
)
Serial No.: 10/631,837) Examiner: Sterrett, Jonathan G.
)
Filed: August 1, 2003)
) Confirmation No.: 1034
For: METHODS, SYSTEMS, AND)
COMPUTER READABLE MEDIA)
CONTAINING INSTRUCTIONS)
FOR EVALUATING THE RETURN)
ON DIRECT MAIL MARKETING)
AND FOR EVALUATING)
SHIPPING SERVICES)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This response is in reply to a restriction requirement mailed March 10, 2008, the period for reply having been extended through September 10, 2008, by a Petition for Extension of Time of five months and fee payment filed concurrently herewith. In the Office communication, the Examiner required restriction under 35 U.S.C. § 121 between

Group I: Claims 1-39 and 385, characterized by the Examiner as being drawn to calculating ROI of a marketing campaign;

Group II: Claims 40-48 and 86, characterized by the Examiner as being drawn to performing a financial sensitivity analysis;

Group III: Claims 49-69 and 87, characterized by the Examiner as being drawn to comparing shipping services;

Group IV: Claims 70-75, 88, and 89, characterized by the Examiner as being drawn to performing scenario analysis of a marketing campaign; and

Group V: Claims 76-84 and 90, characterized by the Examiner as being drawn to promoting a shipping service using finance and ROI information.

Applicants provisionally elect to prosecute Group I, claims 1-39 and 85 without traverse.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 10, 2008

/Benjamin D. Bailey/
By: _____
Benjamin Bailey
Reg. No. 60,539